

ASSIGNED

Serial No. 59140

See Corrected Permit

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. AUG 17 1993

Returned to applicant for correction.

Corrected application filed. Map filed. AUG 20 1993 under 59138

The applicant. Dick Week

111 Reno Highway of Fernley
Street and No. or P.O. Box No. City or Town

Nevada 89406 hereby make application for permission to change the
State and Zip Code No.

Manner and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 50443
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is. Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 2.4 cfs. not to exceed 640 A.F.A.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. Quasi-Municipal & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. Irrigation & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SW 1/4 SE 1/4 Section 1, T.19N., R.26E.,
Describe as being within a 40-acre subdivision of public survey and by course and M.D.B.&M., or at a point from which the E 1/4 corner of said Section 1 bears N. 55°26'08"E., a distance of 2,472.00 feet.
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within. unchanged
If point of diversion is not changed, do not answer.

7. Proposed place of use. NW 1/4 NW 1/4, SW 1/4 NW 1/4, portion of SE 1/4 NW 1/4, portion of SW 1/4 NE 1/4, NW 1/4 SE 1/4, portion of NE 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4, Section 35, T.20N., R.26E., M.D.B.&M.; Section 1, Section 3, T.19N., R.26E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. All of Section 1, T.19N., R.26E., M.D.B.&M., entire
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from. January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from. January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) A drilled and cased well equipped with a motor pump distribution system, and a 1.3 million gallon storage tank.
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. \$2,100,000.00

13. Estimated time required to construct works. 5 Years

10 years

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please refer to Exhibit "A"

Compared cmg/jjs cl/bk

By s/Dave Simpson
Thiel, Winchell & Associates
34 Lakes Boulevard
Dayton, Nevada 89403

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source as heretofore granted under Permit 50443 is issued subject to the terms and conditions imposed in said Permit 50443 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 59133, 59134, 59136, 59137, 59138, 59140, 59141, 59142 and 59143 shall not exceed 950.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.40 cubic feet per second, but not to exceed 640.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 6, 1998

Proof of completion of work shall be filed before June 6, 1998

Application of water to beneficial use shall be made on or before May 6, 2001

Proof of the application of water to beneficial use shall be filed on or before June 6, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 6th day of May

A.D. 1996

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

With the issuance of this permit any well drilled under previous base rights must be plugged and abandoned as stated under NAC 534.420 in the Regulations for Water Well and Related Drilling.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source as heretofore granted under Permit 50443 is issued subject to the terms and conditions imposed in said Permit 50443 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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With the issuance of this permit any well drilled under previous base rights must be plugged and abandoned as stated under NAC 534.420 in the Regulations for Water Well and Related Drilling.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.40 cubic feet per second, but not to exceed 640.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 6, 1998

Proof of completion of work shall be filed before:

June 6, 1998

Water must be placed to beneficial use on or before:

May 6, 2001

Proof of the application of water to beneficial use shall be filed on or before:

June 6, 2001

Map in support of proof of beneficial use shall be filed on or before:


N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of, April A.D. 2000


State Engineer

Completion of work filed JUL 12 2001

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

Abrogated by 69754T 1.8375 Exp. 5-19-04 OR

EXHIBIT "A"

This application is being filed in order to provide water for the proposed Lahontan Business Park on the applicant's property near Hazen, Nevada. This is the only one of it's kind in Churchill County with both rail service adjacent to the Southern Pacific mainline and a large supply of potable underground water. As such it is an important asset in the continued economic development of Churchill County.

As initially designed, the proposed park will consist of 5 to 10 acre building sites with both rail and roadway service. Primary development will be concentrated within Section 35, T.20N., R.26E., M.D.B. & M. of the proposed place of use.

The water system to service these lots will consist of a 12" mainline distribution system and a 1.3 million gallon storage tank. A sewer and storm drain system is to be constructed which will feed a 422,000 gallon capacity wastewater treatment plant constructed on site.

All wells will be reequipped and upgraded in order to provide the necessary flows to supply this project.

In summary, this is a high quality project designed to both put the water under these applications to beneficial use and to enhance the economic viability of Churchill County.

For the existing point of diversion and place of use, refer to the map filed under Permit 50442.